

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CHARLES EDWARD JAMES,

Plaintiff,

v.

Case No.: 2:19-cv-715-FtM-38MRM

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER¹

Before the Court is Defendant Commissioner of Social Security's Unopposed Motion for Entry of Judgment with Remand ([Doc. 19](#)). The Commissioner believes that a remand is appropriate to allow the administrative law judge ("ALJ") to do the following:

evaluate the opinions provided by treating physician Kenneth Gold, M.D., and VA disability determination; re-consider the severity, onset, and limiting effects of the claimant's post-traumatic stress disorder using the special technique set forth in 20 C.F.R. § 404.1520a; re-assess the residual functional capacity assessment; as warranted, obtain supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on the claimant's ability to perform other work in the national economy; take any further action to complete the administrative record; and issue a new decision.

(Doc. 19 at 1). Plaintiff does not oppose the Motion.

Under [42 U.S.C. § 405\(g\)](#), the Court has the power to enter judgment, reversing and remanding a social security case for rehearing. See also [Shalala v. Schaefer](#), 509

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U.S. 292, 296-98 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 101-02 (1991). Given the parties' representations and agreement on the matter, the Court grants the Motion and remands for further proceedings. See *Morgan v. Astrue*, No. 2:11-cv-615-FtM-29SPC, 2012 WL 695840, at *1 (M.D. Fla. Mar. 1, 2012).

Accordingly, it is now

ORDERED:

1. Defendant's Unopposed Motion for Entry of Judgment with Remand ([Doc. 19](#)) is **GRANTED**.
2. Defendant's decision denying benefits is **REVERSED** and this case is **REMANDED** pursuant to sentence four of [42 U.S.C. § 405\(g\)](#) for further proceedings.
3. The Clerk is **DIRECTED** to enter judgment, terminate all deadlines or pending motions, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 2nd day of June, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record